

MAR 23 2010

Ron Smith #230, CLERK, U.S. DISTRICT COURT  
Montana State Prison, DISTRICT OF MONTANA  
100 Conley Lake Rd HELENA  
Deer Lodge, MT 59722

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA

HELENA DIVISION

Ron Smith, William Gullehon  
and All Others in Like  
Circumstances, Plaintiffs,

-vs-

McKE MATHENY, Tom Woods,  
DENISE DEYOTT, and  
John Does

Defendants.

Cause No. \_\_\_\_\_

DECLARATION IN SUPPORT  
OF PLAINTIFFS' MOTION FOR  
TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY  
INJUNCTION

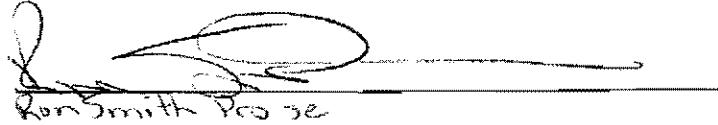
Ron Smith, William Gullehon, declare under penalty of  
perjury:

1. We are Plaintiffs in this case. We make this  
declaration in support of the motion for a temporary  
restraining order and a preliminary injunction to ensure  
that the unlawful actions taking place against the  
inmates at Montana state prison are enjoined until such  
time as the cause can be properly adjudicated in a court of  
law.

As set forth in the Complaint in this cause;

2. Defendants must stop punishing Plaintiffs for good behavior.
3. Defendants refuse to allow photocopied materials, which include religious materials.
4. Defendants refuse to hold proper pre-deprivation hearings prior to returning what is considered "Undeliverable" mail.
5. Defendants intend to take property owned by inmates in spite of their protected possessory interests to the contrary.
6. for the reasons set forth on the memorandum of law filed with this motion, the Plaintiffs are entitled to a temporary restraining order enjoining them until this can be settled by a proper court of law.
7. For the foregoing reasons, the Court should grant the Plaintiffs' motion in all respects.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.



Ron Smith Rose

William Gallehon  
William Gallehon Rose